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February 6, 2024

Hon. Valerie E. Caproni
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

USDC SDNY
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MEMO ENDORSED

Re: A.D. v. New York City Dept. of Educ., 23-cv-9840-VEC-BCM

Dear Hon. Caproni:

I am the attorney assigned at Cuddy Law Firm, P.L.L.C. to Plaintiff A.D.'s above-captioned action, where the sole claim is for prevailing party fees, costs, and expenses following proceedings under the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1400, *et seq.*

Plaintiff respectfully requests a sixty-day extension and adjournment of the joint status letter and associated Initial Pretrial Conference, which are currently scheduled at ECF 10 for, respectively, February 8, 2024 and 10:00 a.m. on February 16, 2024. Sixty days would place the letter at April 8, 2024 and the IPTC on April 16, 2024, or the Court's earliest convenience thereafter.

The reason for this request is that the parties remain in the process of settlement discussions, with billing having been provided to Defendant.

This would be the third request concerning this pair of deadlines. The first was granted; the second, which proposed a joint status letter without mention of the IPTC, was granted in part, resulting in the existing schedule.

I have reached out to opposing counsel on this matter this morning, and am not certain whether she has had a chance to consider it yet.

Thank you for your attention to and consideration of this matter.

Respectfully,

s/ Benjamin M. Kopp
Benjamin M. Kopp, Esq.

Application GRANTED IN PART. The Initial Pretrial Conference scheduled for Friday, February 16, 2024 at 10:00 A.M. is ADJOURNED to **Friday, March 22, 2024, at 10:00 A.M.** The deadline for the parties to submit a joint status letter containing the information described in the notice at Dkt. 5 is extended from Thursday, February 8, 2024, to **Thursday, March 14, 2024.**

The parties have had three months to discuss settlement and, as of the last letter, the parties indicated that Defendant would make a settlement offer "within the next two weeks," meaning by January 23, 2024. *See* Joint Letter, Dkt. 9. The current letter does not explain why an additional 60-day extension is necessary. The Court is highly unlikely to grant further extensions absent extraordinarily good cause.

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Valerie Caproni".

2/7/2024

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE